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AFD USA and LYNN WANG

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

AFD CHINA INTELLECTUAL PROPERTY LAW
(USA) OFFICE, INC., an Oregon corporation,

Plaintiff,

v.

AFD CHINA INTELLECTUAL PROPERTY LAW
OFFICE, a Chinese Corporation,

Defendant,

AFD CHINA INTELLECTUAL PROPERTY LLC,
a Maryland limited liability company,

Counterclaim Plaintiff

v.

LEI WANG, a/k/a LYNN WANG,

Third Party Counterclaim Defendant.

Case No.: 3:09-CV-1509-BR

**PLAINTIFF AFD USA'S NOTICE OF
MOTION AND MOTION FOR PARTIAL
SUMMARY**

Date: TBD

Time: TBD

Judge: Honorable Anna J. Brown

Oral Argument Requested

NOTICE OF MOTION

AFD USA hereby moves to seek a partial summary judgment that AFD USA owns the “AFD” Federal trademark registration, and that the registration is valid. This limited adjudication would resolve an important subset of the elements of AFD USA’s claims for trademark infringement and unfair competition, and would resolve entirely both AFD USA’s and AFD China’s causes of action for declaratory relief.

This Motion is based on the accompanying Memorandum of Points and Authorities, Declaration of Jack Russo, and Declaration of Lynn Wang; as well as the other pleadings and papers on file in this action, and any oral argument before the Court.

For the reasons stated herein and in the supporting Memorandum, AFD USA respectfully requests that the Court grant this Motion for Partial Summary Judgment.

Dated: January 14, 2013

By: /s/ Jack Russo
Jack Russo